



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office

PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

Sent via Email

June 24, 2022

Dirt Corps LLC
c/o Daniel Collins, Nicoterra Trails
8001 15th Ave NE Suite A
Seattle WA 98115
dmcollins1962@gmail.com

RE: 2022 Riparian Planting – Short-Term Water Use Authorization No. S1-29442

Dear Daniel Collins:

Washington State Department of Ecology (Ecology) received your application requesting short-term diversion of surface water for watering native plants at habitat restoration sites. This water use authorization is for the period June 15, 2022 to October 15, 2022.

- Ecology is committed to support projects that have a direct positive impact on stream habitat. According to RCW 90.54.020(3), the quality of the natural environment shall be protected, and where possible, enhanced.
- Diversions of water from surface water bodies regulated through minimum instream flows for the Green-Duwamish Basin (WRIA 9) are interruptible when minimum flows are not met (see attached spreadsheet). It is the responsibility of the permit holder to assess flows in regulated streams before irrigation occurs to meet this requirement.
- Maximum cumulative instantaneous rate of diversion from all surface waters approved under this authorization must not exceed 0.17 cubic-feet/second (75 gallons per minute) at any one time.
- This permit for irrigation diversions may require compliance with state Hydraulic Code (chapter 77.55 RCW) and is required to meet fish screening statutes (RCW 77.57.010, RCW 77.57.040, and RCW 77.57.070). Please see [WDFW permitting page](#) and consult with the appropriate Habitat Biologist according to the [contact map](#). Supporting information on screening and fish passage may be found on the [WDFW Regulations, guidelines, and determining compliance](#) page.

It is the responsibility of Dirt Corps LLC to pursue any legal agreements that may be necessary to access and use the parcels described in the application for the purposes of this project.

Ecology recommends seeking alternative methods to watering project plants by using reclaimed water and municipal water where available, and recommends these alternatives when possible.

Dirt Corps LLC
c/o Daniel Collins, Nicoterra Trails
Short-Term Water Use Authorization No. S1-29442

Nothing in the short-term water use authorization allows for its holder to impair existing water rights.

Water use authorizations are subject to provisions as listed by project, and continue through October 15, 2022. Dirt Corps LLC shall record how much water is used at each site and will submit these data to Ecology no later than January 31, 2023. The data shall include the flow rates in instream flow regulated streams at the times when diversion occurs, and will include a detailed description of how such flows were determined. Furthermore, Dirt Corps LLC will notify Ecology if any of these projects have ended prematurely, been delayed, or completed. Each project site should use procedures to eliminate any waste of water.

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by chapter 43.21B RCW and chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of the Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order to Ecology in paper form - by mail or in person (see addresses below). E-mail is not accepted.

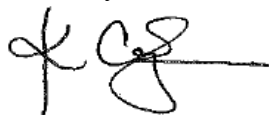
You must also comply with other applicable requirements in chapter 43.21B RCW and chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW, Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

For additional information, visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>. To find laws and agency rules, visit the Washington State Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.

If you have any questions, please contact John Rose at (206) 594-0204 or by email at john.rose@ecy.wa.gov.

Sincerely,



Kasey Cykler
Section Manager
Water Resources Program

Enclosure: *Your Right to Be Heard*
Project Spreadsheet

Watershed/ Tributary To:	Waterbody	WRIA	Project Name	S/T/R	# of Plants	Amount of Water Needed (15 gallons per plant)	WAC Reference	Ecology's Determination
Green Duwamish	Green River	9	Riverbend South	24/23N/04E	400	Approximately 6,000 gallons per month*	The Green River is subject to instream flows by WAC 173-509-030(2).	Diversion is interruptible when minimum instream flows are not met per WAC 173- 509-030
Green Duwamish	Green River	9	Riverbend North	24/23N/04E	600	Approximately 9,000 gallons per month*	The Green River is subject to instream flows by WAC 173-509-030(2).	Diversion is interruptible when minimum instream flows are not met per WAC 173- 509-030
Green Duwamish	Green River	9	Minkler Shops	25/23N/04E	150	Approximately 2,250 gallons per month*	The Green River is subject to instream flows by WAC 173-509-030(2).	Diversion is interruptible when minimum instream flows are not met per WAC 173- 509-030

*Assuming all plantings supplied by surface water.